



Panhandle-Plains Student Loan Center

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May 10, 2006

Ms. Kelli Farmer
Consumer & Government Affairs Bureau
Policy Division
445 12th Street, SW
Room 5-A866
Washington, DC 20554

RE: CG Docket No. 02-278

Dear Ms. Farmer:

Panhandle-Plains Student Loan Center (PPSLC) is a loan servicer specializing in the servicing of student loans, including loans made under the Federal student loan programs created under the Higher Education Act and private, supplemental education loans.

I am writing in response to your office's call for comment on ACA International's Petition for an Expedited Clarification and Declaratory Ruling Concerning the Telephone Consumer Protection Act (TCPA) Rules (CG Docket No. 02-278). PPSLC has read the ACA petition and concurs with its basic premise that Federal law and corresponding FCC regulations concerning the prohibited use of autodialers by telemarketers to contact borrowers on cellular telephones were never intended to and should not apply to lenders, servicers and collectors attempting to recover payments for goods and services already purchased. Failure by the FCC to clarify this position will be detrimental to PPSLC and the student loan programs as a whole.

Autodialer technology provides an efficient and effective tool to facilitate contacting existing customers. Regulations governing Federal student loan collections require servicers to contact past-due borrowers when the servicer has a valid telephone number. Student loan borrowers are increasingly utilizing cellular telephones instead of home telephone numbers. This trend continues to increase. The inability to use this technology would adversely impact the ability of lenders and their servicers to work with borrowers to address their special needs and meet their loan obligations.. Default prevention activities would be impeded. The result will be increased loan defaults. Countless borrowers who otherwise would bring their accounts current will suffer the negative ramifications of student loan default. These are real dollar and human costs, and they can be avoided by the proper FCC declaratory ruling in favor of the ACA petition.

PPSLC respectfully requests the Commission issue a declaratory ruling clarifying that 47 C.F.R. § 64.1200(a)(1)(iii) does not apply to lenders, servicers and collectors when calling telephone numbers to recover payments for goods and services received by consumers and

that the 2003 TCPA rulemaking did not alter the Commission's previous findings that calls to recover debts are not subject to the TCPA's autodialer restrictions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry D. Langehennig".

Terry Langehennig, President and CEO